

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

QUINTIN LAMAR WILLIAMS

PETITIONER

vs.

CIVIL ACTION No.: 3:22-CV-56-HTW-LGI

BURL CAIN, COMMISSIONER

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THIS COURT is the Amended Report and Recommendation of the United States Magistrate Judge [Docket no. 11] issued by Magistrate Judge Lakeysa Greer Isaac. In her Amended Report and Recommendation¹, filed on May 31, 2022, Magistrate Judge Isaac found Petitioner Quintin Lamar Williams' Petition for Writ of Habeas Corpus to be time-barred, and recommended that the Petition be dismissed with prejudice. Magistrate Judge Isaac directed Petitioner to file any objections to her recommendation within fourteen (14) days.

On June 21, 2022, Petitioner filed a Petition to Clarify Sentence [Docket no. 12]. Subsequently, on June 23, 2022, Petitioner filed his Objections to the Amended Report and Recommendation [Docket no. 13]. On June 28, 2022, Respondent Commissioner Burl Cain filed his Responses in Opposition to Petitioner's Motion to Clarify and Petitioner's Objections [Docket nos. 14 and 15]².

¹ The Amended Report and Recommendation corrected Petitioner's sentencing date and the date on which Petitioner had been granted an extension to file his petition for writ of certiorari, but that "[i]n all other respects, the initial report and recommendation [filed on March 29, 2022] remains unchanged." [Docket no. 11, p. 2].

² This court hereby grants Respondent's request to forgo the filing of supporting memorandum briefs. [Docket no. 15, p. 7].

This court, having carefully reviewed the submissions of the parties, the record, and relevant law, finds that the Magistrate Judge correctly concluded that Petitioner's convictions and sentences were final on July 27, 2010, when his time expired for seeking certiorari review in state court. The Magistrate Judge also properly determined that because Petitioner failed to seek post-conviction review prior to the expiration of his one-year federal habeas limitations period, he is not entitled to statutory tolling. This court further finds that Petitioner's arguments in his Petition to Clarify Sentence and Objections fail to provide this court with any factual or legal basis to overcome the findings of fact and conclusions of law in the Magistrate Judge's Amended Report and Recommendation. Therefore, this court hereby **ADOPTS** the Amended Report and Recommendation of the Magistrate Judge [Docket no. 11] as the order of this court.

IT IS THEREFORE ORDERED THAT Quintin Lamar Williams' Petition for Writ of Habeas Corpus [Docket no. 1] hereby is **DISMISSED WITH PREJUDICE** as untimely under 28 U.S.C. §2244(d).

IT IS FURTHER ORDERED that the Motion to Clarify Sentence [Docket no. 12] hereby is denied.

IT IS FINALLY ORDERED that a Certificate of Appealability shall not be issued in this matter.

SO ORDERED this the 21st day of July, 2022.

/s/HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE